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To: Examiner M. Brannock	U.S. Patent and Trademark Office	(703) 872-9306	

From: Melissa S. Rones, Ph.D.

Re: U.S. Serial No. 09/804,490	Attorney Docket No.: CIBT-P01-114
Inventor: Burkly et al.	Art Unit 1642
Filed: March 12, 2001	Examiner: M. Brannock
Title: HEDGEHOG AND PATCHED ANTAGONISTS FOR INHIBITING CELL AND TISSUE GROWTH AND DIFFERENTIATION AND USES THEREOF	

Comments: Attached are:

Further Communication (2 pages)

Copy of Reply to Restriction Requirement filed on 10/24/03 (2 pages)

Copy of the PTO, stamped-returned postcard for 10/24/03 filing (1 page)

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PLEASE COMPLETE WHEN SUBMITTING TO FAX DEPARTMENT

Date: May 11, 2004

Time: 12:58 PM

File Symbol: CIBT-P01-114

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Submitted By:

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MAY 11 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**In re Application of:  
Burkly et al.

Serial No: 09/804,490

Filed: March 12, 2001

For: Hedgehog and Patched Antagonists  
for Inhibiting Cell and Tissue Growth  
and Differentiation and Uses Thereof

Attorney Docket No. CIBT-P01-114

Art Unit: 1642

Examiner: M. Brannock

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. 81.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below:

October 24, 2003  
Date of Signature  
and of Mail Deposit

  
Ginny BlundellCommissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**REPLY TO RESTRICTION REQUIREMENT**

Sir:

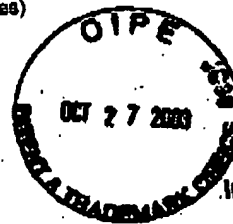
In reply to the outstanding Restriction Requirement, mailed October 2, 2003, in connection with the above application, Applicants hereby elect with traverse Group I, drawn to hedgehog antibody antagonists and methods of treating cells or animals therewith. Applicants elect this invention with traverse, because claims 1, 5, 9, 13-20, and 24 encompass overlapping subject matter based on use of hedgehog antagonists. Accordingly, searches related to these hedgehog antagonists are co-extensive, and Groups I-III could be examined simultaneously without significant additional burden.

In addition, Applicants submit that claims 1, 5, 9, 13-20, and 24 are linking claims for Groups I-III. Applicants respectfully remind the Examiner that, in accordance with MPEP 809, "should any linking claim be allowed, the restriction requirement must be withdrawn."

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Via: First Class Mail		Atty Dkt No.: CIBT-P01-114
Inventor: Burky et al.		
Application No.: 09/804480		Filing Date: March 12, 2001
Title: HEDGEHOG AND PATCHED ANTAGONISTS FOR INHIBITING CELL AND TISSUE GROWTH AND DIFFERENTIATION AND USES THEREFOR		
Documents Filed: Reply to Restriction Requirement (2 pages)		
This return postcard		

Via: First Class Mail		Atty Dkt No.: CIBT-P01-114
Inventor: Burky et al.		
Application No.: 09/804490		Filing Date: March 12, 2001
Title: HEDGEHOG AND PATCHED ANTAGONISTS FOR INHIBITING CELL AND TISSUE GROWTH AND DIFFERENTIATION AND USES THEREFOR		
Documents Filed: Reply to Restriction Requirement (2 pages)		
This return postcard		



Ropes &amp; Gray

NOV 03 2003

Intellectual Property Dept.

Sender's Initials: MSR/gb	Date: October 24, 2003
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Burkly et al.

Serial No: 09/804,490

Filed: March 12, 2001

For: Hedgehog and Patched Antagonists  
for Inhibiting Cell and Tissue Growth  
and Differentiation and Uses Thereof

Attorney Docket No. CIBT-P01-114

Art Unit: 1642

Examiner: M. Brannock

**CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent via facsimile to (703) 872-9306 at the United States Patent and Trademark Office on the date indicated below:

May 11, 2004  
Date of Signature  
and of Mail Deposit

  
Mary Jane DiPalma

**FURTHER COMMUNICATION**

Sir:

The Examiner in this case recently informed us that Applicants' response to the outstanding Restriction Requirement in this case was not received. Accordingly, Applicants enclose herewith a copy of the reply filed October 24, 2003, as well as the stamped, return postcard.